

Message Text

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ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 SAM-01 AID-05 CIAE-00 COME-00

EB-07 FRB-03 INR-07 NSAE-00 TRSE-00 XMB-02 OPIC-03

SP-02 CIEP-01 LAB-04 SIL-01 OMB-01 NSC-05 SS-15

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R 190819Z FEB 75

FM AMEMBASSY LISBON

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INFO AMEMBASSY BRUSSELS

USMISSION EC BRUSSELS

AMEMBASSY COPENHAGEN

USMISSION GENEVA

AMEMBASSY LONDON

AMEMBASSY MADRID

AMEMBASSY OSLO

AMEMBASSY PARIS

AMEMBASSY STOCKHOLM

USMISSION NATO

ZNE/AMCONSUL OPORTO

AMCONSUL PONTA DELGADA

C O N F I D E N T I A L LISBON 912

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TAGS: ELAB, PINT, PO

SUBJ: LABOR: INTERSINDICAL AND PROPOSED LABOR ORGANIZATION LAW

REFS: (A) LISBON 727 (NOTAL)

(B) LISBON 380 (NOTAL)

(C) A-135, DEC 1974 (NOTAL)

SUMMARY: INTERSINDICAL RESPONDS TO CRTICISM BY MARIO SOARES
OF PROPOSED LABOR LAW. CURRENT TEXT, AWAITING FINAL APPROVAL,
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EXPECTED TO RESULT IN UNIFIED, COMMUNIST-LED LABOR ORGANIZATION

BUT WILL NOT IMPOSE OBLIGATORY AFFILIATION ON EITHER INDIVIDUAL WORKERS OR ON UNIONS. SOME SCOPE EXISTS FOR DEVELOPMENT OF AUTONOMOUS NON-COMMUNIST-LED UNIONS. END SUMMARY.

1. ON JANUARY 20 THE COUNCIL OF MINISTERS APPROVED IN PRINCIPLE A DRAFT DECREE-LAW WHICH WOULD HAVE EFFECT OF CREATING A SINGLE LABOR CONFEDERATION IN PORTUGAL. AT A TIME SOCIALIST PARTY LEADER MARIO SOARES JUSTIFIED THE SOCIALISTS REMAINING IN THE GOVERNING COALITION--IN SPITE OF THEIR OPPOSITION TO THE PROPOSED LAW--BY ASSERTING THAT CERTAIN UNJUST AND UNCONSTITUTIONAL ASPECTS OF PROPOSED LAW WERE MODIFIED BY THE COUNCIL OF MINISTERS. IN RESPONSE INTERSINDICAL PUBLISHED STATEMENT FEB 7 COMPARING EACH OF "IMPROVEMENTS" NOTED BY SOARES WITH THE ORIGINAL DRAFT TEXT, LEAVING THE IMPRESSION THAT IN FACT THE SOCIALISTS RECEIVED LITTLE TRADE-OFF IN THE LAW IN RETURN FOR STAYING IN THE GOVERNMENT.

2. THE IMPROVEMENTS NOTED IN THE PROPOSED LAW BY SOARES ARE:

(A) REVIEW OF THE LAW WITHIN ONE YEAR--INTERINDICAL NOTES THIS WAS INCLUDED IN ARTICLE 45 OF ORIGINAL DRAFT.

(B) WORKERS NOT REQUIRED TO JOIN UNIONS--
INTERINDICAL NOTES THAT ARTICLE 13, PARAGRAPH ONE, OF ORIGINAL DRAFT STATES THAT WORKERS "SHOULD" JOIN UNIONS REPRESENTING THEIR SECTOR. INTERINDICAL JUSTIFIES DESIRED IMPOSITION OF OBLIGATORY UNION MEMBERSHIP BY RATIONALE THAT " DURING TIME OF DICTATORSHIP THE WORKERS WERE FORCED TO PAY DUES AND THE UNIONS DID NOTHING; NOW THAT THE UNIONS CAN DO SOMETHING, ARE WE GOING TO CEASE PAYING DUES?" CURRENT TEXT OF LAW, HOWEVER, LEAVES TO WORKERS THE OPTION WHETHER OR NOT TO JOIN UNIONS.

(C) UNION ELECTIONS BY SECRET BALLOT--INTERINDICAL NOTES THAT PARAGRAPH 3 OF ARTICLE 14 OF DRAFT PROVIDES THAT IN THE CASE OF INDIRECT ELECTIONS THE VOTE WILL BE SECRET. (COMMENT: THIS IS UNDERSTOOD TO MEAN ANY ELECTION OTHER THAN A LOCAL UNION ELECTION. IN RECENT CONTESTED ELECTIONS INVOLVING MORE THAN ONE UNION LOCAL THE BALLOTING HAS BEEN SECRET AND APPARENTLY HONEST.)

(D) OPTIONAL AFFILIATION OF UNIONS OF CONFEDERATION--
INTERINDICAL NOTES THAT ARTICLE 8 OF ORIGINAL DRAFT LAW STATES THAT LOCAL UNIONS MAY " JOIN IN UNIONS, FEDERATIONS, AND
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CONFEDERATIONS.

3. INTERSINDICAL CONCLUDES THAT SOARES' CLAIM OF IMPROVEMENTS IN DRAFT WERE MADE WITHER TO CONFUSE WORKERS OR WERE BASED ON INSUFFICIENT KNOWLEDGE OF PROPOSED LAW. INTERSINDICAL STATES THAT IT IN AGREEMENT WITH MODIFICATIONS PROVIDING A "DEMOCRATIC LABOR MOVEMENT IN ACCORD WITH THE EXPRESSED WILL OF THE WORKERS."

4. COMMENT: SITUATION IS NOT AS PAT AS INTERSINDICAL WOULD MAKE IT SEEM. DURING THE PERIOD ALLOWED FOR PUBLIC DEBATE OF DRAFT LAW, INTERSINDICAL AND ITS AFFILIATE UNIONS PRESSED HARD TO OBTAIN AND SUCCEEDED IN WINNING COUNCIL OF MINISTERS' APPROVAL FOR THE CONCEPT OF ESTABLISHMENT OF SINGLE LABOR COMMISSION FOR EACH COMPANY; SINGLE UNION FOR EACH INDUSTRIAL SECTOR WITHIN ANY REGION; SINGLE FEDERATION IN EACH ECONOMIC SECTOR; SINGLE ORGANIZATION GROUPING UNIONS WITHIN GEOGRAPHIC AREAS; AND A SINGLE NATIONAL CONFEDERATION. INTERSINDICAL ALSO PUSHED TO OBTAIN APPROVAL FOR OBLIGATORY MEMBERSHIP OF WORKERS WITHIN UNITARY LABOR ORGANIZATION AND, BY IMPLICATION, MANDATORY AFFILIATION OF ALL UNIONS WITHIN UNITARY LABOR ORGANIZATION. ON THESE LATTER TWO POINTS INTERSINDICAL HAS NOT OBTAINED ITS GOAL, DUE TO OUTSPOKEN OPPOSITION FROM THE SOCIALISTS, AND TO A LESSER DEGREE, THE PPD.

5. EXPECTED RESULT OF THE LAW WILL BE TO FACILITATE THE CONTINUATION OF PRESENT COMMUNIST CONTROL OF THE ORGANIZATIONAL MACHINERY OF THE LABOR MOVEMENT. THE SOCIALISTS AND THE PPD CAN TAKE SOME SATISFACTION AT HELPING PREVENT THE COMMUNISTS FROM OBTAINING A COMPLETELY UNIFIED LABOR MOVEMENT, WITH OBLIGATORY WORKER AFFILIATION, IMPOSED BY LAW. CURRENT DRAFT, IF IMPARTIALLY ADMINISTERED, HAS POTENTIAL OF ALLOWING LEEWAY FOR DEVELOPMENT OF INDEPENDENT NON-COMMUNIST UNIONS. IN SHORT, AN UPHILL BATTLE, BUT NOT HOPELESS.

6. DECREE-LAW, AS APPROVED BY COUNCIL OF MINISTERS, IS AWAITING EXPECTED APPROVAL BY COUNCIL OF STATE. CURRENT AMENDED TEXT NOT AVAILABLE BUT BELIEVED SIMILAR IN OTHER ASPECTS TO TRANSLATION TRANSMITTED BY REFERENCE (C).
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